

Appl. No. 09/822,573
Amdt. dated November 21, 2005
Reply to Office Action of September 20, 2005

PATENT

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 12, along with an annotated sheet indicating the changes in red ink.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

Claims 10-14, 31-34, 37 and 38 have been examined. Claims 32 and 33 have been amended. Fig. 12 has been added to clarify certain dimensions. Reconsideration of the application, as amended, is respectfully requested.

The Drawings

The office action is requesting new corrected drawings to show changes made in the previous amendment. Accompanying this amendment are drawings showing such changes.

The drawings were further objected to under 37 CFR 1.83(a) for not showing the “... holding member having a cross sectional length that is greater than a cross sectional width ... the vibratable member has a cross sectional length that is greater than a cross sectional width ... the length of the vibratable member being parallel to the length of the holding member” as claimed in claims 10 and 31.

Accompanying this response is an amendment to Fig. 12 clarifying where these features may be found in Fig. 12. In so doing, no new matter is being added. Rather, reference figures are simply being added. Hence, this objection is overcome.

Claim Rejections – 35 USC 112

Claims 10-14, 31-34, 37 and 38 have been rejected under 35 USC 112, first paragraph as failing to comply with the written description requirement. More specifically, the office action states that the disclosure fails to describe the “... holding member having a cross sectional length that is greater than a cross sectional width ... the vibratable member has a cross sectional length that is greater than a cross sectional width ... the length of the vibratable member being parallel to the length of the holding member” as claimed in claims 10 and 31.

This rejection is respectfully traversed. As filed, Fig. 12 clearly shows these features. However, in order to further clarify this subject matter, the specification and Fig. 12 have been amended to recite: “As also shown in Fig. 12, cup shaped member 78 has a base portion 79 and a walled portion 81. The cross sectional length L1 of base portion 79 is greater

Appl. No. 09/822,573
Amdt. dated November 21, 2005
Reply to Office Action of September 20, 2005

PATENT

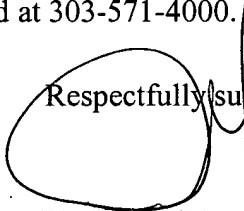
than the cross sectional width W1 of base portion 79. Also, the cross sectional length L2 of piezoelectric transducer 82 is greater than the cross sectional width W2 of piezoelectric transducer 82. As further shown, length L1 is parallel to length L2."

In so doing, no new matter is being added since only clarifying references are being added to the specification and the drawing. Since these limitations are clearly found in the specification, it is respectfully requested that the section 112, first paragraph rejection be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Darin J. Gibby
Reg. No. 38,464

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 303-571-4321
DJG/cl
60633763 v1



Fig. 12

